

AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2295

Introduced by Assembly Member Oropeza

February 21, 2002

An act relating to school sponsored athletic programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2295, as amended, Oropeza. School-sponsored athletic programs: State Department of Education: *California Postsecondary Education Commission: report.*

Existing law prohibits public funds from being used in connection with any athletic program, conducted under the auspices of a school district governing board or any student organization within the district, that does not provide equal opportunity to both sexes for participation and for use of facilities.

This bill would require the State Department of Education *and the California Postsecondary Education Commission, in conjunction with the Legislative Analyst's office*, by no later than ~~January 1~~ June 30, 2003, to ~~conduct a study to determine whether school district governing boards or other student organization within school districts, are providing equal opportunity to both sexes for participation and use of facilities for school-sponsored athletic programs, and to report the results of this study to the Governor and the appropriate policy committees of the Legislature~~ *submit a report on interscholastic athletics in this state to the Legislature. The bill would require that the report include the findings of the department and the commission relating to the level of compliance with relevant federal law by*

educational institutions in the state, as well as the recommendations of the department and the commission with respect to improvement of that level of compliance. The bill would require the department to study these issues as they relate to secondary schools, and would require the commission to study these issues as they relate to the public segments of higher education in the state. The bill would specify topics to be included in the report. The bill would provide that its implementation is subject to the provision of funds for its purposes in the Budget Act of 2002 or in another statute enacted during the 2001–02 Regular Session.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. — By no later than January 1, 2003, the State~~
2 *SECTION 1. The Legislature finds and declares all of the*
3 *following:*
4 *(a) The year 2002 marks the 30th anniversary of Title IX of the*
5 *Education Amendments of 1972 (20 U.S.C. Secs. 1681 et seq.),*
6 *which bans gender discrimination in school academics and*
7 *athletics.*
8 *(b) Prior to the enactment of Title IX, only one in 27 girls*
9 *participated in high school sports, compared to one of two boys.*
10 *(c) By 1998, more than 2,500,000 girls and 3,700,000 boys*
11 *played high school sports in this country.*
12 *(d) In 2000, females represented 52 percent of the general*
13 *student body, although female student-athletes still made up only*
14 *38 percent of collegiate student-athletes and 40 percent of high*
15 *school student-athletes.*
16 *(e) Title IX governs the overall equity of treatment and*
17 *opportunity in athletics, while giving schools the flexibility to*
18 *choose sports based on student body interest, geographic*
19 *influence, the budget constraints of that school, and gender ratio.*
20 *(f) The benefits of athletic activity for girls and women are*
21 *irrefutable, although serious barriers still persist in our*
22 *educational and social systems. Women and girls continue to*
23 *experience discrimination, and have less access to coaching,*
24 *facilities, transportation, practice time, and competition than men*
25 *and boys receive.*

(g) *The California Interscholastic Federation reported that more than 100,000 more boys than girls participated in high school sports in this state in 2001.*

(h) *An investigation by the Orange County Register found that nearly all of the state's community colleges are violating Title IX. While women made up 56.2 percent of the full-time students at the 100 California community college campuses that competed in intercollegiate sports last year, women accounted for only about one-third of the athletes on those same campuses. Of the twenty-three million eight hundred eighty thousand dollars (\$23,880,000) spent on sports at those schools, only about thirty-five cents (\$0.35) on the dollar go to women's programs—and this is more than twenty cents (\$0.20) below the federal requirements.*

(i) *Nationally, women and girl athletes have yet to reach parity with men. Only about one-third of all interscholastic and intercollegiate athletes are women. In addition, woman college athletes receive less than 26 percent of the operating budgets for college sports and less than 28 percent of college recruiting money.*

(j) *The current climate of gender inequity with respect to athletic programs proves the need to survey California's educational institutions to determine the rate of compliance with Title IX and to recommend methods to improve compliance.*

SEC. 2. (a) *In conjunction with the Legislative Analyst's office, the State Department of Education and the California Postsecondary Education Commission shall prepare a report on interscholastic athletics in this state. The report shall include the findings of the department and the commission relating to the level of compliance with Title IX by educational institutions in this state, as well as the recommendations of the department and the commission with respect to improvement of that level of compliance. This report shall be prepared in accordance with subdivision (b), and shall be submitted to the Legislature no later than June 30, 2003.*

(b) (1) *The State Department of Education shall prepare the part of the report required by this section that relates to interscholastic athletics in grades 7 to 12, inclusive. The California Postsecondary Education Commission shall prepare the part of the report that relates to intercollegiate athletics at the*

1 various campuses of the University of California, the California
2 State University, and the California Community Colleges.

3 (2) In preparing the report required by this section, the
4 department and the commission shall work in conjunction with the
5 Legislative Analyst's office, and shall study, but not necessarily be
6 limited to, all of the following topics:

7 (A) The provision of athletic equipment, supplies, and
8 uniforms.

9 (B) The scheduling of games and practice times.

10 (C) The allocation of locker rooms, practice facilities, and
11 competition facilities.

12 (D) The allocation of resources for transportation and travel
13 opportunities for athletes.

14 (E) The recruitment of student athletes by educational
15 institutions.

16 (F) The provision of officiating personnel, such as referees and
17 umpires, for interscholastic sports events.

18 (G) The provision of coaching staff, the resources allocated for
19 compensation of coaching staff, and the evaluation of the
20 qualifications of coaching staff.

21 (H) The allocation of administrative support, publicity, and
22 sports information personnel.

23 (I) The availability of medical and training personnel.

24 (J) The availability of financial support from the educational
25 institutions, as well as from outside sponsorships and booster
26 clubs, including, but not necessarily limited to, schoolwide booster
27 organizations and team-specific clubs.

28 (K) The availability of organizational support from the
29 educational institutions, including, but not necessarily limited to,
30 academic tutoring, the provision of bands or cheerleaders at
31 athletic events, and the sponsoring of campus rallies or
32 assemblies.

33 (L) The availability of fundraising opportunities.

34 SEC. 3. The implementation of Section 2 of this act is subject
35 to the provision of funds for its purposes in the Budget Act of 2002
36 or in another statute enacted during the 2001–02 Regular Session.

37 ~~Department of Education shall conduct a study to determine~~
38 ~~whether school district governing boards or other student~~
39 ~~organizations within school districts are providing equal~~
40 ~~opportunity to both sexes for participation and use of facilities for~~

1 ~~school-sponsored athletic programs, as required by Section 221.7~~
2 ~~of the Education Code. The department shall report the results of~~
3 ~~this study to the Governor and appropriate policy committees of~~
4 ~~the Legislature.~~

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